| Name of Applicant | Proposal | Expiry Date | Plan Ref. |
|---|---|---|---|
| Cawdor Capital Hopwood Ltd And Morris Homes Ltd | Residential development of 21 dwellings<br><br>Land To Rear Of 1-6 Smedley Crooke Place, Redditch Road, Hopwood, Worcestershire | 13.03.2013 | 12/1040 |

**RECOMMENDATION:** That planning permission be **REFUSED**.

**Consultations**

**Alvechurch Parish Council** Consulted 27.12.2012

Members should note that Alvechurch Parish Council have provided a very detailed appraisal objecting to the application. In the interests of clarity; the comments conclude as follows. The Parish are referring to the applicant's planning statement and their response is in italics beneath each point.

Paragraph 9.1 of the Planning Statement states that:

Having regard to the foregoing it is considered that the proposed development accords with all relevant planning policies. It will help meet a clear and overwhelming housing need within Bromsgrove District that in isolation constitutes the very special circumstances sufficient to support development in the Greenbelt. The Council does not have a deliverable 5 years supply of housing land. The proposed development is available and deliverable immediately and will make an essential contribution to the Councils housing land supply.

***It accords with none of the Green Belt Policies, or the emerging District or Neighbourhood Plans and certainly not with those in the NPPF.***

9.2 Additionally the application site constitutes, in its entirety, previously developed land. The Framework makes it clear that development of such land is not to be considered as inappropriate to the Greenbelt where it would not have a greater impact upon the openness of the Greenbelt.

***This has never been developed land, and would certainly encroach upon the openness of the Green Belt***

9.3 In this case there would be no diminution to the openness of the Greenbelt whatsoever as the proposed residential development would replace the open storage of large scale plant and machinery.

***It has never had much storage and has been well hidden from the road by its hedged screening. It should be returned to its former green state, and has contravened earth moving restrictions***.

9.4 Redevelopment of the site would also enhance the amenity of adjoining residential properties, by removing an unrestricted non-conforming use. In addition, there will be wider benefits to the village of Hopwood through enhance traffic safety.

**If allowed this would set precedents for altering Green Belt boundaries, something that has maintained the openness of the countryside for decades.**

9.5 Accordingly, and in the absence of any material circumstances that evidence any disbenefit to the local community it is contended that there are no grounds to refuse planning permission and that there is a substantial presumption in favour of granting planning permission.

***The NPPF, the District Plan, the County Structure Plan and the emerging Neighbourhood Plan all have policies that refute the statement that it has an absence of material circumstances. The applicant has ignored all relevant policies pertaining to the Green Belt and to this particular village envelope.***

The Government advice is that it attaches great importance to Green Belt, and its fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. I trust the above comments will assist you in your decision and would ask that this case is called into Committee and that APC is allowed representation.

**Highways Department- Worcestershire County Council** Consulted 27.12.2012

Recommendation that planning permission be refused for the following reasons:
The proposed alterations to the roundabout to facilitate access to the site is not acceptable and does not accord with TD16/07 of the Design Manual for Roads and Bridges. The application should also be supported by a Stage 1 safety audit so that the principle of design can be considered. It is considered that the proposal would have an adverse impact on highway safety by promoting a substandard access solution and promoting the loss of a well used bus stop.

The applicant carried out additional work in response to the comments of Worcestershire Highways and further comments were received: 22.10.2013.

No objection subject to the following conditions:

HC25 (Access, turning and parking)
HC36 (Cycle Parking (Multi Unit)
HC36 (Cycle Parking (Multi Unit)
HC40 (Highway improvements / offsite works)
HC41 (On site roads submission of detail)
HC44 (Wheel Washing)
HC51 (Parking for Site Operatives)

HN6
Section 278 Agreement

No work on the site should be commenced until engineering details of the improvements to the Public Highway have been submitted to and approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into.

**Worcester Regulatory Services - Contaminated Land** Consulted 06.02.2013
No objection subject to conditions.

**Sport England** Consulted 06.02.2013
No Comments Received To Date

**Highways Agency** Consulted 27.12.2012
No objection.

**Worcestershire County Council Countryside Service** Consulted 27.12.2012
No Comments Received To Date.

**Ramblers Association** Consulted 27.12.2012
No Comments Received To Date

**Urban Designer - Joe Holyoak** Consulted 27.12.2012
The position of houses on the site is satisfactory but a major issue which arises is the relationship of the houses to the main road and roundabout. The houses are oriented towards the main road but this results in limited privacy for the back gardens where the dwellings will be accessed by car. The built form of the houses are adequate but architecturally conservative.

The applicant has responded to the comments of the Urban Designer in a letter received 04th September. The Design and Access Statement has also been amended. The response clarified that the design of the proposal had evolved following considerable discussions with Worcestershire Highways. There are sustainable drainage solutions proposed on the site. The general disposition of the plots provides variation within the scheme.

**Landscape &Tree Officer** Consulted 27.12.2012.
Objection, certain points need clarification.

The applicant has provided a response (dated 04.09.2013) in relation to the matters raised by the Tree Officer. Further comments from the Tree Officer awaited.

**Worcester Regulatory Services- Noise, Dust, Odour & Burning** Consulted 27.12.2012
No Comments Received To Date

**Strategic Planning-** Consulted 27.12.2012

The site falls within the Green Belt and the proposal is to erect 21 new houses, hence section 9 Protecting Green Belt land of NPPF and policy DS2 are relevant. Inappropriate development is by definition harmful to the Green Belt and local authorities are directed to attach substantial weight to any Green Belt harm. Paragraph 88 of the NPPF states that 'very special circumstances' will not exist unless the potential harm to the Green Belt by

reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. As the site has an established use certificate for open storage, the applicant argues that the site is previously developed land and would not cause greater impact on the openness of the Green Belt, hence meet the exceptions of constructing new building in the Green Belt (last bullet point of paragraph 89 of NPPF). I note that two previous applications (B/1995/0862 and 08/1038) had been refused based on the harm to the openness of the Green Belt. Hence, it is important to check the details of the established open storage use for the site to ensure that the openness of the Green Belt is protected.

The applicant also argues that the Council does not have a 5 year land supply (4.95 years supply as of the 5 year land assessment of April 2012) and the calculation takes into account of all commitments and sites that do not yet have planning permissions which is unrealistic. The 5 year land assessment was carried out in accordance to the requirements of the NPPF (para 47, 48) by which deliverable sites and windfall sites are considered acceptable in the five-year supply calculations. Whilst a 5 year supply does not currently exist, other material factors need to be considered before releasing Green Belt land for development. The Strategic Housing Land Availability Assessment (SHLAA) identifies a number of sites that are suitable and available and could deliver approximately 4,500 homes.

The provision of 7x3bed and 15x4bed properties generates a play space requirement of 2,494m$^2$ and an on-site maintenance cost of £87,789 or an off-site cost of £558,656. SPG11 highlights that play space will be sought on-site on all developments that generate a minimum requirement for play space of not less than 0.1hectare. The applicant seeks to make a contribution in lieu of on-site provision due to the site proximity to the open space facilities nearby. Comments from the Leisure department will be relevant on deciding whether on-site/ off-site contributions should be sought.

The Worcestershire Strategic Housing Market Assessment (2012) identifies that there is a need for homes of all sizes with the greatest need for 1 and 2 bedroom properties. As the affordable housing provision falls under the Council's emerging target of 40%, a viability assessment should be submitted to justify why the required target cannot be achieved. Comments of the Strategic Housing Manager will be relevant on this issue.

In regards of parking, highways and the promotion of sustainable transport, NPPF para 29, policy TR16 and the view of the Highways Engineer will be relevant.

Comments on the revised plans and information received: 21.10.2013.

The Council now has a housing land supply of *5.83* years (including a 5% buffer). The robustness of this land supply calculation was recently tested at a public inquiry in relation to the refusal of 26 homes on land at Haslucks Green Road (APP/P1805/A/13/2196784). The inspector addressed the following key issues in relation to 5 year land supply calculations:

- Whether to apply a 5% or 20% buffer
- Whether to use the Sedgefield or Liverpool method
- The inclusion of a windfall allowance of 30 dwellings per annum
- The inclusion of SHLAA sites

- Whether a lapse rate should be applied to extant consents

In every regard the Inspector endorsed the Council's approach and concluded that:
"I consider that the Council can satisfactorily demonstrate a supply of sites to provide 5 years worth of housing, plus a buffer of 5%."

The SHLAA identifies that 4,624 homes can be delivered, primarily over the next 10 years without the need to alter Green Belt boundaries. The proposed submission version of the Bromsgrove District Plan (BDP) persists with the intention to undertake a Green Belt Review following plan adoption as set out within policies BDP3 and BDP4. Based on the most up to date information the review will need to identify land to accommodate approximately 2,376 homes for the period 2023-2030 to ensure that the target of 7,000 for the period 2011-2030 is achieved.

With sufficient land available for the next 10 years and the presence of a 5 year land supply it is considered that land supply should not form part of any argument put forward to support the release of this Green Belt site at the current time. To release a Green Belt site for housing at this stage would undermine the emerging District Plan and prematurely begin a release of Green Belt sites in an ad hoc manner.

I note the applicant proposes 35% affordable housing which consists entirely of intermediate properties. This is contrary to BDP8 of the Proposed Submission Version of the BDP which proposes a 40% target. Whilst some viability work has been undertaken it does not conclusively prove that 40% is unviable. It only looks at 1 scenario, which has a 75%/25% split in favour of a rented product and includes a contribution towards open space of £558,656. The applicant is currently only offering a contribution of £25,000 (the acceptability of this should be discussed with Leisure Services). It would therefore be preferable to see the 40% scenario re-run with more realistic S106 contributions and different mixes of the affordable housing tenures to be provided. The mix and amount of affordable housing proposed should be discussed with the Strategic Housing Manager.

**Leisure Services** Consulted 27.12.2012.

**Education Department at Worcestershire** Consulted 27.12.2012
The schools which would be affected are: Crown Meadow First School, Alvechurch Middle shared North/South Bromsgrove High School. The total education contribution would be £68,295.

**North Worcestershire Water Management** Consulted 27.12.2012
No objection subject to conditions.

**Worcestershire Wildlife Trust** Consulted 27.12.2012
No Comments Received To Date

**Strategic Housing** Consulted 27.12.2012
No Comments Received To Date.

**County Archaeological Officer** Consulted 27.12.2012
No Comments Received To Date

**Climate Change Officer** Consulted 27.12.2012
I wouldn't normally pass comment on the transport elements as WCC normally have that covered - however, I fail to see the significance of highlighting the poor links to bus and train services from site, nor should we even consider statistics from 2003 and 2004.

**Publicity**
Press Notice published: 11.01.2013.
Site Notice posted: 05.02.2013.
30 letters sent 07.01.2013.

14 comments received including Hopwood Residents Association and the Campaign for the Protection of Rural England summarised as follows:

- Hopwood Residents Association would like to most strongly object to this planning application, the applicant has taken no notice of any Green belt policies relating to the position of this site which is within the Green Belt and outside of the Village Envelope as shown on your Proposal Map.

- The applicants always put lots of faith in the fact they say this is brownfield because it has got storage use and is in poor condition, a state manipulated by the laying of hundreds of tons of hardcore over the last 3 or 4 years levelling the site un-naturally and disregarding any planning rules. The planning department to their credit do keep pointing out that development is not allowed due to its inappropriateness within the Green Belt.

- You should note that the proposed site is not in accordance with the village envelope of Hopwood (Policy HOP 1) Policy in general accordance with WCSP and PPGs in defining the types of development that may be deemed appropriate within the Green Belt. None of the relevant policies define the erection of a new housing estate within the Green Belt as being appropriate. New policies state that development will only be allowed in identified settlements within Green Belt areas if very special circumstances are proved, and that it is up to the developer to show these circumstances

- In this case we consider the erection of a new speculative market housing estate would, in itself, go against the fundamental aim of the Green Belt which is to preserve openness. Policies within the NPPF, BDC Local Plan, the County Plan and the emerging Neighbourhood Plan corroborate this.

- The application site is not well-served by public transport facilities (no buses on Sundays and limited on Saturdays and during the week!). The proposal would therefore attract trips to and from the site, with the majority of these trips made by private car.

- We consider that the proposal would be an alien and intrusive feature of substantial scale visible from the properties on Redditch Rd, Smedley Crooke Place and Woodpecker Close. There would be a significant impact on the openness of the Green Belt at this location.

- Notice should be taken of the existence of the CLEUD for the storage of plant and this relates to the storage of engineering plant and not the sale or repair of such plant. The site has not been utilised for this use for at least 10 years and the site at present is predominantly open. We do not consider it a brownfield site

- There are drainage issues on the site

- There are significant issues in terms of access and highway safety

- Hopwood cannot sustain further growth and the Bromsgrove Housing Capacity Study 2004 defined Hopwood as unfavourable in its ability to sustain future housing growth

- There are insufficient school places to facilitate the development

- Woodpecker Close has recently been completed. This was built on Green Belt land contrary to Officer advice. Following a complaint from local residents, the Local Government Ombudsman found the Planning Committee guilty of maladministration resulting in a fine of £1000.

- There is a sufficient housing land supply with excess of the five year requirement achieved. A large number of major planning applications on ADR sites are now coming through ensuring that the housing supply position remains healthy.

**Relevant Policies**

**Bromsgrove District Local Plan 2004 (BDLP):**

DS2 Green Belt Development Criteria
DS13 Sustainable Development
TR11 Access and Off-Street Parking
S9 New Dwellings in the Green Belt
S15 Affordable Housing in Urban Areas
S16 Affordable Housing in Green Belt Areas

**Bromsgrove District Plan Proposed Submission**

BDP4 Green Belt
BDP8 Affordable Housing

**Others:**

NPPF National Planning Policy Framework

## Relevant Planning History

| | | | |
|---|---|---|---|
| 08/1038 | Nursing home and associated offices - OUTLINE (As augmented by Phase 1 Ecological Survey Report and Arboricultural Survey Report Received 02.06.2011; As amended by application forms received 02.06.2011) | Refused | 26.08.2011 |
| B/2007/0626 | Nursing home and associated offices: outline (recommended for refusal). | Withdrawn | 30.11.2007. |
| B/2007/0261 | Office development (outline): | Withdrawn | 30.11.2007. |
| B/2006/0080 | Office development (outline): | Withdrawn | 10.05.2006. |
| B/1995/0862 | Erection of public house and associated parking and area for social housing and / or public open space: | Refused | 15.01.1996. |
| B/1991/0966 | Proposed B1 development comprising 2 no. blocks of 15,000 sq. foot each. | Withdrawn | 09.12.1991 |
| COU/1/85 | Certificate of Lawfulness relating to external storage of plant and machinery. | Granted | 06.02.1985. |

## The site and its surroundings

The application site relates to a 0.8ha parcel of land located to the east side of the A441 Redditch Road adjacent to the roundabout junction with the B4120. The site is predominantly open scrubland although some areas are covered with a thin layer of crushed stone and discarded rubble. The site is devoid of any buildings or other physical development. Natural field hedges interspersed with semi-mature and mature tree specimens are located to the site boundaries, with a row of mature conifers approximately 6 metres in height to the frontage boundary facing Redditch Road. The rear gardens of residential dwellings located in Smedley Crooke Place back onto the northern site boundary and the recent completed Woodpecker Close development (B/2007/0495) adjoins the site to the north east. An existing vehicular access is located to the north-west corner of the site leading off Redditch Road. The site is located in the Green Belt as defined in the BDLP and is located adjacent to but outside of the defined Village Envelope of Hopwood.

## The proposed development

This application seeks full planning permission for the development of 21 new dwellings. The development would comprise of 9 no. 4 bedroom dwellings, 5 no. 5 bedroom dwellings and 7 no. 3 bedroom dwellings. All of the four and five bedroom dwellings would be detached. The three bedroom dwellings would be clustered in the south east corner of the site in a terraced row of five units and a pair of semi-detached units.

The application proposes that seven of the dwellings will be affordable housing, with the remaining 14 for sale/rent on the general market.

The application proposes a new vehicular access to the site by creating an additional arm to the A441/B4120 roundabout. The existing access from Redditch Road will be closed.

**Assessment of proposal**

The main considerations in the determination of the application are the following:

(i) Whether the proposal represents appropriate development in the Green Belt; and if not, whether any very special circumstances exist to outweigh the harm caused
(ii) The impact of the proposal in relation to highways and access
(iii) The impact of the proposal on residential amenity
(iv) The impact of proposal on infrastructure and community facilities

Each matter will be given consideration under a separate heading below along with any other material considerations.

(i) Green Belt

Policies DS2 and S9 of the BDLP are of particular relevant to this application. These policies do not conflict with the Green Belt advice within the NPPF and they should therefore be afforded full weight in the determination of this application.

When considering whether the proposal would represent inappropriate development it is noted that the development does not meet any of the exceptions listed at policies DS2 and S9 of the BDLP or at paragraph 89 of the NPPF. The proposal should therefore be regarded as an inappropriate form of development in the Green Belt. The NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Members will note that the site is currently open and devoid of any buildings. The proposed development would introduce a significant built form across the whole site which would cause clear harm to the openness of the Green Belt. It is also considered that the proposal would involve a considerable expansion to Hopwood which would have a clear urbanising effect on what is currently a small rural settlement. It is considered that this would be particularly evident given the location of the site adjacent to the main thoroughfare through Hopwood and its overall prominence from major public vantage points. The site currently presents a verdant frontage to Redditch Road and provides a distinct contrast between the defined village boundary to the north and open countryside to the south. The proposed development would replace this with urbanised street scene and it is considered that this would harm the visual amenity and rural character of the Green Belt. It is also considered therefore that the proposal would conflict with one of the stated purposes of the Green Belt at paragraph 80 of the NPPF to safeguard the countryside from encroachment.

Considering whether any very special circumstances exist, Members will note the argument put forward in the Planning Statement submitted with the application (Received 12.12.2012). This is supplemented by a Briefing Note, Planning Letter and a copy of an appeal decision at Baggeridge, South Staffordshire. This is summarised as follows:

- There is a need for housing land in the District - the Council does not have a 5 year land supply
- The proposal will help meet the housing land shortfall on a brownfield site. The principle of redeveloping a brownfield site was accepted in the Baggeridge Appeal decision
- Affordable housing will be provided which will help to address an increasing need
- There will be no loss of openness as the site has a permitted open storage use involving large structures of an industrial nature
- There will be residential amenity benefits associated with the removal of the non-conforming storage use
- The proposal will benefit the community as a whole in terms of access and traffic safety. The proposal will extinguish traffic movements associated with the storage and movement of plant and machinery which involves HGV's and low loaders. The applicant will contribute towards the cost of a pedestrian crossing.

I will comment on each of these points under a separate sub heading below:

- *There is a need for housing land in the District - the Council does not have a 5 year land supply*

Members are advised that paragraph 47 of the NPPF emphasises that local authorities should significantly increase the supply of housing and identify and update a 5 year supply of housing with an additional buffer of either 5% or 20% depending on local circumstances. The comments of Strategic Planning should be noted.

The supporting Planning Statement submitted by the applicant infers that the Council can only demonstrate a 1.6 years housing land supply. This figure is based on sites that currently have planning permission.

Before determining the land supply position it is important consider what the relevant housing target should be but as there are no relevant targets within adopted development plans this is not entirely clear. The initial allocation for the district within the RSS Panel Report is 4,000 for the period 2006-2021. The intention of this allocation was to address affordable housing needs and beginning to re-balance the housing market without altering Green Belt boundaries.

However, whilst the Council supports the principles of the Panel Report including the need for a Green Belt Review following plan adoption circumstances have changed and more up to date information is now available. The Coalition Government intends to revoke RSS's through provisions set out within the Localism Act and therefore it is debatable how much weight can currently be attached to the RSS, particularly the Phase 2 Revision which has not and will not ever be adopted. In addition the Worcestershire Strategic Housing Market Assessment (SHMA) has recently been completed which assesses the full housing needs of the district and meets household and population projections, taking account of migration and demographic change. This fully accords with

paragraph 159 of the NPPF. A key part of the work was to test a range of scenarios to project household growth in the period up to 2030. The evidence within the SHMA is being used to inform housing policies in the emerging Core Strategy/District Plan proposing a housing target of 7,000 for the period 2011-2030.

The deliverability of the ADRs (discussed at the recent appeal) is highlighted by the approval of recent planning applications at Kendall End Road (88 units), Church Road (80 units), Selsdon Close (76 units), St. Godwalds Road (212 units) and Kidderminster Road (175 dwellings). There are also current applications on ADRs at Birmingham Road (316 units), Bleakhouse Farm (178 units) and Western Road (70 units).

When using these preferred figures the Council currently has a housing land supply of 5.83 years. This is significantly higher than the applicant's figure of 1.6 years. Members should also note the position of the Coalition Government and the Ministerial Statement by Brandon Lewis MP that the absence of a five year housing land supply did not amount to a very special circumstance to override Green Belt harm. In any event, the Council can now demonstrate a five year housing land supply as evidenced in the appeal decision at Haslucks Green Road (Ref:APP/P1805/A/13/2196784).

*- The proposal will help meet the shortfall on a brownfield site*

For the reference of Members, previously developed or 'brownfield' land is defined at Annex 2 of the NPPF as:

*"Land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings……and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time."*

In this instance Members will note that there are no buildings or permanent structures on the site and it is completely open. A large part of the site comprises moss and dead weeds amongst a thin and sparse layer of crushed stone. Immediately beneath this surface lies bare earth which can be easily exposed with little physical effort. It is not considered that this constitutes fixed surface infrastructure and in any event it is clear that it has blended into the landscape in the process of time.

There is an area to the north of the site on which a more fixed surface of compacted rubble, bricks and uneven tarmac exists. There is also an area close to the west boundary of the site on which bricks and rubble have been spread. It is considered however that these areas only amount to approximately 25% of the area of the site.

It is understood that there has historically been a number of small buildings on the site associated with its former use as a piggery. However little evidence exists of this and nonetheless Members are advised that *land that is or has been occupied by agricultural* buildings is excluded from the definition of previously developed land.

It is noted that the site is subject to an established use certificate for the open storage of plant and equipment under BD(EU) 1/85 granted on 06th February 1985. This does not however allow for the construction of buildings or the carrying out of any form of

operational development. Any structures associated with the storage use (i.e. shipping containers) would not represent buildings or permanent structures.

The applicants reference to the Baggeridge Appeal Decision at South Staffordshire is completely misguided since the Inspector at Paragraph 6 states that the site of the brickworks was identified as a *Major Developed Site* under policy GB6 of the Local Plan. It's redevelopment could therefore be regarded as an enhancement of the openness of the Green Belt and, indeed, the Inspector concluded that the proposed mixed use redevelopment of the site would *not* be inappropriate development in the Green Belt. Clearly, this is not the case on this site at Hopwood.

Taking the above facts into consideration it can be concluded that the majority of the site would not fall within the NPPF definition of previously developed land. The site is not therefore considered to be a brownfield site.

- *Affordable housing will be provided*

The provision of affordable housing is required both in the current local plan Policy S15 and in the Bromsgrove District Plan. Thereby, the provision of affordable housing units is a mandatory policy requirement on housing applications above a certain threshold (15 dwellings or more in this instance) and could not be regarded as a very special circumstance to justify development in the Green Belt. Moreover, this matter would only apply to a small amount of the units and would not therefore be capable of outweighing the harm caused by the development as a whole.

- *There will be no loss of openness as the site has a permitted open storage use involving large structures of an industrial nature*

The site is predominately open. It has been vacant and unsuccessfully marketed for the outdoor storage use for some time and this matter is not considered to represent a realistic fall back position. The applicant has presented additional information in respect of the marketing of the site since 2011. There have been 15 viewings and it is alleged that 'planning uncertainties' are preventing a secure letting. I would be of the view that if the site was that attractive to commercial occupiers, there would have been uptake by now. The range of alternatives available in the District and Redditch for secure internal storage are considerable and preferable to the storage of plant and machinery outdoors. Therefore more weight is attached to the views of the Parish Council that the site has hardly been occupied in the past decade. The storage of shipping containers would require a much improved access and the costs of doing so would render a commercial storage operation unviable.

On this basis it is not appropriate to consider theoretical harm associated with the lawful use of the site. In any event, it is considered unlikely that any potential harm caused by the storage of plant would be commensurate with the harm caused by the proposed development.

- *There will be residential amenity benefits associated with the removal of the non-conforming storage use*

This statement is accepted but would only be realised in the event that the site is actually used for storage purposes. Nonetheless, this matter alone would carry little weight in comparison to the significant weight attached to the identified harm to the Green Belt.

In conclusion it is considered that the above points would not outweigh the identified harm to the Green Belt and it is not considered that any very special circumstances exist.

(ii) Highways and Access

The development is proposing a new arm onto the Redditch Road roundabout and whilst originally WH were recommending refusal, the applicant has responded by the amending the scheme and access arrangements to the satisfaction of WH. The costs of these highway works would be met by the developer and completed under a S278 Agreement. In the viability statement presented by the applicant (Received 04.09.2013), the applicant has put the costs of the highway works at £87,742. The figure has been queried by WH. It is understood that the works to the junction and the improvement works to the highway resolve the original highway objections. There is no objection to the application from WH subject to conditions, the completion of the works under S278 and a contribution of £66,248.16 to mitigate for the additional demands on the wider transport network that the development will generate

(iii) Design and Residential Amenity

In terms of the form, character and design of the development, the hamlet of Hopwood consists mainly of ribbon development with the exception of the newly completed Woodpecker Close. There is no defined urban code in the area and I do not consider that the layout is unacceptable; the creation of a frontage onto Redditch Road orients the development appropriately.

In terms of residential amenity, SPG1 is relevant. Within the scheme, Plot 22 is insufficiently separated from plots 8 and 9 at 16m where the standard should be 21m. The dwellings are sufficiently separated from the rear of the properties on Smedley Crooke Place but Plot 6 is too close to properties on Woodpacker Close at approximately 15m. The level of landscaping around this part of the site is noted but may not be a permanent feature. The amenity space to serve each dwelling is adequate.

(iv) Affordable Housing and Infrastructure

The matter of highway infrastructure is discussed above. In terms of education, Members should note the comments of WCC and it is understood that the applicant is willing to provide the appropriate education contribution. The applicant has also offered a reduced contribution towards Public Open Space of £25,000 and the views of Leisure Services are awaited.

In terms of affordable housing, the proportion on offer is 33%. This is contrary to the Bromsgrove District Plan requirement of 40%. The site is greenfield with no obvious constraints in terms of contamination. The viability statement provided does not explain the reason for the non-viability of the proposal. The views of Strategic Housing are awaited.

Conclusion

The proposal represents inappropriate development in the Green Belt and the applicants argument of the absence of a five year housing land supply is not accepted as evidenced in the recent appeal decision on B/2012/0729 at Haslucks Green Road. The Council can now demonstrate a five year housing land supply and the site cannot be classified as brownfield. In addition, the application does not provide sufficient affordable housing and there are residential amenity issues.

**RECOMMENDATION:** That planning permission to be **REFUSED** for the following reasons:

1. The proposal would represent an inappropriate form of development in the Green Belt that would cause clear harm to the openness and rural character of the Green Belt and conflict with the purposes of including land within the Green Belt. It is not considered that any very special circumstances exist to outweigh this harm. The proposal would therefore be contrary to policies DS2 and S9 of the Bromsgrove District Local Plan 2004, and the Green Belt advice within the National Planning Policy Framework 2012.

2. The proposal would not provide an adequate level of affordable housing or an appropriate tenure mix to support a sustainable mixed community or meet the local need for affordable housing. Thereby, the proposal would be contrary to policy S15 of the Bromsgrove District Local Plan 2004, the evidence of the Strategic Housing Market Assessment (2012) and the principles of the NPPF.

3. The proposal would not respect the privacy and residential amenity of future occupiers contrary to policy DS13 of the Bromsgrove District Local Plan 2004 and the advice of SPG1 Residential Design Guide.

**Case Officer:** Mr David Kelly Tel: 01527 881345
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